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Federal Communications Commission  
Office of Secretary

Before The  
**Federal Communications Commission**  
Washington, D.C. 20554

In the Matter of

Advanced Television Systems  
and Their Impact Upon the  
Existing Television Broadcast  
Service

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MM Docket No. 87-268

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To: The Commission

**PETITION FOR RECONSIDERATION**

The Ohio State University ("OSU"), licensee of noncommercial educational television station WOSU-TV, Channel \*34, Columbus, Ohio, by its counsel, hereby petitions for reconsideration of the *Sixth Report and Order* in MM Docket No. 87-268, FCC 97-115 (released April 21, 1997) ("*Sixth R&O*"), insofar as the *Sixth R&O* allocates Channel \*38 as the paired digital TV channel for WOSU-TV's current Channel \*34. As described herein, this channel may result in substantial and unnecessary hardship, as it may require OSU and other TV stations using OSU's tower to relocate to a new tower location. OSU is reviewing the engineering issues and anticipates that it, other TV stations on its tower and the Commission, working together, can find a workable DTV channel to substitute for Channel \*38 that can operate from the OSU tower without significant disruption to other allotments or diminution in coverage area. In this single respect, OSU seeks relief by this petition.

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At the outset, OSU compliments the Commission on the substantial effort reflected in the DTV Table of Allotments and the *Fifth and Sixth Reports and Orders* in this proceeding. OSU appreciates that the FCC has recognized and tried to accommodate the unique needs of public television stations. OSU also understands that complicated considerations that will have to be undertaken by the Commission as it deals with this Petition and others filed by commercial and noncommercial educational television stations. Nevertheless, OSU believes that an alternative DTV channel as requested in this Petition may serve the public interest.

OSU has operated station WOSU-TV on Channel \*34 at Columbus since 1956, providing high quality educational, informational and cultural programming, including children's programming, to the area. By necessity, as a noncommercial educational licensee and a public institution of higher education, OSU must be a careful steward of its resources, even while it seeks to offer leadership in the public broadcasting system. OSU has planned to extend its leadership into the digital television era and looked forward to the early, innovative activation of DTV facilities from its WOSU-TV tower. The allocation of Channel \*38 as its paired DTV channel, however, creates potentially substantial obstacles to the achievement of these goals.<sup>1/</sup>

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<sup>1/</sup> OSU saw no necessity to participate in the proceeding earlier on an individual basis. OSU did participate, however, in the form of comments filed on its and other public TV stations' behalf by the Public Broadcasting Service and America's Public Television Stations. Therefore, the requirements of Section 1.429 of the Rules with respect to petitions for reconsideration should be deemed satisfied. If necessary, however, OSU requests waiver of Section 1.429 to the extent necessary for the Commission to consider its petition, in view of the public interest issues raised herein.

OSU requests reconsideration of that aspect of the *Sixth R&O*, and urges the Commission to work with OSU in finding an acceptable substitute channel for Channel \*38 (such as, perhaps, a channel adjacent to its current Channel \*34) that could operate from common transmitting facilities on the WOSU-TV tower. OSU is now working diligently to identify an alternative channel that would avoid interference to other NTSC and DTV allotments and stations and be usable on the WOSU-TV tower, although that search has been hampered by the unavailability of appropriate engineering tools.<sup>2/</sup>

Substantial hardship will be inflicted upon OSU if it is required to activate its DTV channel on Channel \*38. The problem is that OSU's tower, which now holds the antennas for WOSU-TV on Channel \*34, WTTE (TV) on Channel 28, and LPTV Station WCLS on Channel 62, simply cannot hold additional television antennas. Thus, in order to permit OSU to activate its DTV station using the tower, one or more of the other facilities on the tower will have to be removed (at significant expense to those licensees and at significant loss of on-going revenue to OSU), or some way must be found for the parties to operate their DTV facilities without additional antennas.

There may be a variety of possible solutions to this issue. At the current time, the WOSU-TV antenna probably cannot be used for any other channel than \*34. However, Station WTTE, Channel \*28 has a panel antenna that could perhaps be used for more than

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<sup>2/</sup> OSU is awaiting the FCC's anticipated release of OET Bulletin 69, which will provide detailed information on a variety of the engineering calculations underlying coverage and interference considerations. OSU reserves the right after the release of Bulletin 69, to present a specific proposal, perhaps in conjunction with other stations, for resolving its concerns.

just Channel \*28, if an appropriate adjacent channel can be assigned. Or, with the removal of just one of the other TV facilities from the tower, perhaps OSU and WTTE could install a single antenna that could handle both of their DTV facilities. This solution too, would require coordination of DTV channels.

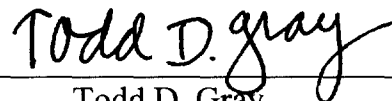
OSU is not at this moment able to specify the solution to these problems. OSU intends to continue discussions it has initiated with WTTE, and to seek further advice from antenna manufacturers and engineers as appropriate engineering tools become available. At that time, OSU hopes to be able to amend this petition to specify the channel assignments that will permit the current users of the OSU tower to continue to do so for both analog and digital facilities. In the meantime, OSU urges the Commission to look favorably on its efforts to preserve and improve public television service to the Columbus area, and to work with OSU in this respect.

For the foregoing reasons, OSU requests reconsideration of the *Sixth R&O* to the extent that it allocates Channel \*38 for WOSU-TV in Columbus.

Respectfully submitted,

THE OHIO STATE UNIVERSITY

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June 13, 1997